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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/991,855	12/16/97	KII	T 1083.1046/JD

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LM31/0414

EXAMINER

POON, K

ART UNIT	PAPER NUMBER
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2724

*7*

DATE MAILED:04/14/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Advisory Action

Application No.  
08/991,855

Applicant(s)  
Takahiro KII, et al.

Examiner  
King Y. Poon

Group Art Unit  
2724



THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☐ expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on \_\_\_\_\_ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Mar 9, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

- ☒ The proposed amendment(s):
- ☒ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- ☐ will not be entered because:
- ☐ they raise new issues that would require further consideration and/or search. (See note below).
- ☐ they raise the issue of new matter. (See note below).
- ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

- ☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

- ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- ☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
cited arts meet all of the claim limitations (see attachment)

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-25

- ☐ The proposed drawing correction filed on \_\_\_\_\_ ☐ has ☐ has not been approved by the Examiner.
- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Other

Art Unit: 2724

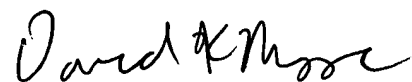
With respect to applicant's argument that Peter does not use fixed form reply data stored in a data base as claimed in claim 1, has been considered. In reply, fig. 8 and # 102 of fig.13 clearly show fixed form reply data stored in a storing device.

With respect to applicant's argument that "any reply data transmitted in Peters is sent along with E-mail, therefore, the claimed communication control means and receiving means is not required in claim 9" has been considered. In reply, the control means in claim 9 is to receive data for a reply sent from the server. The examiner does not see why the client does not need to receive the data for a reply sent from the server.

With respect to applicant's argument that the category of the message is not the same as the type of client's answer, has been considered. In reply, the answer "yes" is a category of message, telling the server something that the server asked is correct.

With respect to applicant's argument that "... as stated above, Peter's do not store a reply set", has been considered. In reply, the reply set of Peters is stored in a database (# 102 of fig. 13) as stated above.

Therefore, the examiner sees that the cited arts meet all of the claim limitations based on at least the above reasons.



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